

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KERRY HICKS,

Petitioner, No. CIV S-02-1040 LKK JFM P

vs.

TOM CAREY, Warden,

Respondent. ORDER

Petitioner, a state prisoner proceeding with counsel, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On January 11, 2006, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within ten days. Petitioner has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed January 11, 2006, are adopted in full;

3 and

4 2. Petitioner's January 13, 2003 application for a writ of habeas corpus is denied.

5 DATED: March 10, 2006.

6 /s/Lawrence K. Karlton
7 UNITED STATES DISTRICT JUDGE

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